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PATENT Customer No. 22,852 Attorney Docket No. 8702.0005

## ATENT AND TRADEMARK OFFICE

Group Art Unit: 1644
)
Examiner: M.E. Jamroz
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L-1)

## TATEMENT UNDER 37 C.F.R. § 1.97(b)

d 1.97(b), applicant brings to the attention of the tached PTO 1449. This Information Disclosure ag date of a first Office Action on the merits for

e attached.

at the Examiner consider the listed documents

y making appropriate notations on the attached

int that a search has been made or that no an admission that each or all of the listed ior art." If the Examiner applies any of the

Amorney Docket No. 8702.0005 Application No. 09/816,697 Filed: March 23, 2001

documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: March 26, 2002

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